



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/270,844	03/18/1999	SHINICHI HAGIWARA	35.G2367	3085

5514 7590 12/13/2001

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 12/13/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/270,844
Applicant(s) HAGIWARA
Examiner Andy S. Rao
Art Unit 2613

SM
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on ____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> .	6) <input type="checkbox"/> Other: ____.

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which have been approved as formal drawings.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama in view of Kazumi.

Sugiyama discloses an apparatus for displaying images recorded by a camera (Sugiyama: column 4, lines 37-45), said apparatus comprising: reading means (Sugiyama: column 4, lines 58-60) for reading information used in image capture (Sugiyama: column 4, lines 45-50); and output means for outputting, based on the information read by said reading means, signals for displaying images (Sugiyama: column 4, lines 17-25), as in claim 1. However, Sugiyama fails to disclose the use of focus area information as the read information. Kazumi discloses that for a

camera taking photographs (Kazumi: column 2, lines 17-45), it is known to record focus area information (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on an magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as taught by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image displaying apparatus, in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has all of the features of claim 1.

Regarding claim 2, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has that the focus area information represents a position of said focus area used in the image (Kazumi: column 11, lines 2-5), as in the claim.

Regarding claim 3, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output means processes the images recorded by said camera so that a position of said focus area is used in the image capture is centered in displaying, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 4, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, uses as a reference point a position of said focus area used in the image capture to enlarge the images recorded by said camera, and for displaying enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Regarding claim 5, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has a magnetic head for recording/reading magnetic information recorded on a photographic film for said camera (Sugiyama: column 4, lines 58-60), as in the claim.

Sugiyama discloses an apparatus for displaying images recorded by a camera (Sugiyama: column 4, lines 37-45), said apparatus comprising: an image-capture sensor for capturing images optically recorded on a photographic film (Sugiyama: column 5, lines 5-35); reading means (Sugiyama: column 4, lines 58-60) for reading information magnetically recorded on the photographic film (Sugiyama: column 4, lines 35-40); and output means for outputting the images captured by the image-capture sensor by using, from the information read by said reading means (Sugiyama: column 6, lines 45-60), information used in an image capture (Sugiyama: column 4, lines 17-25), as in claim 6. However, Sugiyama fails to disclose the use of focus area information as the read information. Kazumi discloses that for a camera taking photographs (Kazumi: column 2, lines 17-45), it is known to record focus area information (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on an magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as taught by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image displaying apparatus, in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has all of the features of claim 6.

Regarding claim 7, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has storing means as specified (Sugiyama: column 7, lines 30-65), as in the claim.

Regarding claim 8, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output means processes the images recorded by said camera so that a position of said focus area is used in the image capture is centered in displaying, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 9, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, uses as a reference point a position of said focus area used in the image capture to enlarge the images recorded by said camera, and for displaying enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Sugiyama discloses method for displaying images recorded by a camera (Sugiyama: column 4, lines 37-45), comprising: r reading information used in image capture (Sugiyama: column 4, lines 45-50); and outputting, based on the information read in the reading step, signals for displaying images (Sugiyama: column 4, lines 17-25), as in claim 1. However, Sugiyama fails to disclose the use of focus area information as the read information. Kazumi discloses that for a camera taking photographs (Kazumi: column 2, lines 17-45), it is known to record focus area information (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on an magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing

focus area information for a captured image as taught by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image displaying method, in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama method, now incorporating Kazumi's use of focus area information, has all of the features of claim 10.

Regarding claim 11, the Sugiyama method, now incorporating Kazumi's use of focus area information, has that the focus area information represents a position of said focus area used in the image (Kazumi: column 11, lines 2-5), as in the claim.

Regarding claim 12, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the output means processes the images recorded by said camera so that a position of said focus area is used in the image capture is centered in displaying, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 13, the Sugiyama method, now incorporating Kazumi's use of focus area information, uses as a reference point a position of said focus area used in the image capture to enlarge the images recorded by said camera, and for displaying enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Regarding claim 14, the Sugiyama method, now incorporating Kazumi's use of focus area information, has a magnetic head for recording/reading magnetic information recorded on a photographic film for said camera (Sugiyama: column 4, lines 58-60), as in the claim.

Sugiyama discloses a method for displaying images recorded by a camera (Sugiyama: column 4, lines 37-45), comprising: capturing images optically recorded on a photographic film

(Sugiyama: column 5, lines 5-35); reading information magnetically recorded on the photographic film (Sugiyama: column 4, lines 35-40); outputting the images captured by the image-capture sensor including using the information read in the reading step (Sugiyama: column 6, lines 45-60), information used in an image capture (Sugiyama: column 4, lines 17-25), as in claim 15. However, Sugiyama fails to disclose the use of focus area information as the read information. Kazumi discloses that for a camera taking photographs (Kazumi: column 2, lines 17-45), it is known to record focus area information (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on an magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as taught by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image displaying method, in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama method, now incorporating Kazumi's use of focus area information, has all of the features of claim 15.

Regarding claim 16, the Sugiyama method, now incorporating Kazumi's use of focus area information, has a storing step as specified (Sugiyama: column 7, lines 30-65), as in the claim.

Regarding claim 17, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the output means processes the images recorded by said camera so that a position of said focus area is used in the image capture is centered in displaying, and outputs

signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 18, the Sugiyama method, now incorporating Kazumi's use of focus area information, uses as a reference point a position of said focus area used in the image capture to enlarge the images recorded by said camera, and for displaying enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hibino discloses a film image reading apparatus and method. Dwyer III discloses a film printing and reading system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-6606 for regular communications and (703)-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-4700.

Application/Control Number: 09/270,844
Art Unit: 2613

Page 9

Andy S. Rao
Primary Examiner
Art Unit 2613

ANDY RAO
~~PRIMARY EXAMINER~~

asr
December 12, 2001